IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

WA.No. 2991 of 2007

AGAINST THE JUDGEMENT IN WPC.35190/2007 Dated 28/11/2007

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APPELLANT/PETITIONER:

SRI.SUNIL KUMAR,
S/O.BALAN, SINDU NIVAS,
NADUVANAD, MATTANNUR,
KANNUR DIST.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS/RESPONDENTS:

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1. THE REGIONAL TRANSPORT AUTHORITY,
REP. BY ITS SECRETARY.

2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KANNUR.

BY GOVERNMENT PLEADER SMT. K. MEERA.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, CJ. & K. M. JOSEPH, J.

W. A. NO. 2991 OF 2007

Dated this the 18th December, 2007

JUDGMENT

H.L. DATTU, C.J:

The learned Single Judge has declined to entertain the Writ Petition solely on the ground of delay and laches on the part of the petitioner in approaching the Court nearly after eight months from the date of the order passed by the State Transport Appellate Tribunal.

2. What is called in question by the petitioner in the Writ Petition is an order passed by the State Transport Appellate Tribunal in M.V.A.A. No.806/06 dated 16.4.2007. In the Writ Petition filed, petitioner has not explained, much less offered any satisfactory explanation, the delay in filing the Writ Petition nearly after eight months from the date of the order impugned in the Writ Petition. A person who had slept over his right, is not entitled to the discretionary relief from this Court. Keeping in view this settled legal position in law, the learned Single Judge, in our opinion, has rightly rejected the Writ Petition. We do not see any error in the order passed by the learned Single Judge. Therefore, this Writ Appeal requires to be rejected and it is rejected.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE

K.M. JOSEPH,
JUDGE

kbk/DK.